

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and the following remarks/arguments. Claims 1-71 were originally filed with the present Application. By prior Amendment, claims 1 and 43 were amended, and claims 22-42 were canceled without prejudice or disclaimer in response to a Restriction Requirement. By this Amendment, claims 1 and 43 are again amended, and no new matter has been added. Accordingly, claims 1-21 and 43-71, as amended, are pending in the present Application.

I. OBJECTIONS

The Examiner has objected to the drawings under 37 C.F.R. 1.121(d) based on the hand-written portions found in the drawings. In response, the Applicants are filing with the present Amendment replacement informal drawings pending the filing of formal drawings. Accordingly, the Applicants request that the Examiner withdraw the objection to the drawings.

II. REJECTIONS UNDER 35 U.S.C. §103

The Examiner has rejected claims 1-21 and 43-71 under 35 U.S.C. §103(a) as allegedly obvious over U.S. Patent No. 6,477,580 to Bowman in view of U.S. Patent No. 6,665,861 to Francis, *et al.*, and further in view of U.S. Patent No. 6,438,559 to White, *et al.* In the present Amendment, Applicants have amended independent claims 1 and 43 to further clarify the invention(s) originally disclosed and claimed in the present Application. Applicants respectfully assert that independent claims 1 and 43, as amended, are not obvious in view of the cited combination of references for a number of reasons.

In the Examiner's Response to Arguments in the current Office Action, the Examiner has again argued that Bowman discloses the claimed universal tagged data object by pointing to Bowman's use of an Internet browser, and the transmission of data in typical binary 1's and 0's format. Moreover, the Examiner argues that the limitation that the tagged object is "capable of

being transferred and processed without any intermediate format conversions” is also disclosed by Bowman because this limitation does not sufficiently constrict the bounds of the claims so that a typical application-level program (such as Bowman’s browser) does not read on the claim limitations. Still further, the Examiner states that Bowman discloses the universal nature of the claimed tagged object because the Applicants have not explicitly claimed that the binary format for the object is a machine level executable code, as opposed to the typical 1’s and 0’s found in other binary formats for data.

In response to these arguments, the Applicants have amended independent claims 1 and 43 to more clearly recite that the tagged data object for storing data is a universal tagged data object that is platform independent, hardware architecture independent, and language independent, and provides universal manipulation and aggregation by computer processing units of the tagged data therein. Moreover, independent claims 1 and 43 have also been amended to recite that the tagged data is packed as a binary representation of the tagged data object in a machine level code transferable among, and directly processible by, without any intermediate data format conversions, any computer processing unit processing data for use by any application operating in any computer environment, platform, architecture or language.

As discussed in the prior Amendment, Bowman merely discloses browsers that employ HTML and XML formats to process data they receive, both of which are textual formats and are not machine level binary representations of data suitable for immediate processing by computer processing units that are processing data for application-level programs. Stated another way, any binary data transmissions disclosed in Bowman are application-level representations of data, and are not the machine level code executable by CPUs recited in the presently amended claims. Bowman also does not disclose the claimed universal tagged object that is platform, architecture,

and language independent, as recited in the presently amended claims. Specifically, Bowman does not disclose a universal tagged object that provides universal manipulation and aggregation of tagged data (that includes a data element and a corresponding binary tag id) by computer processing units processing data for use by any application operating in any computer environment, platform, architecture or language. Since these limitations are now expressly recited in independent claims 1 and 43, Bowman clearly does not disclose all of the limitations of these claims.

Furthermore, in response to the Examiner's statements that Francis discloses the use of a binary representation of data that also reads on claims 1 and 43, the amendments to claims 1 and 43 discussed above also traverse the teachings of Francis. Like Bowman, Francis discloses the use of a textual format and not the machine level binary representation of data now explicitly recited in independent claims 1 and 43. Moreover, since Francis does not disclose the machine level code recited in claims 1 and 43, Francis does not disclose a representation of data that is universal among all platforms, architectures, and languages for CPUs processing data for application-level programs. White also does not disclose such limitations, and, as pointed out by the Examiner, is not relied on for such teachings.


For the reasons set forth in the prior Amendments, as well as the reasons set forth above and the present amendments to independent claims 1 and 43, the combinations of Bowman and Frances, or Bowman, Francis and White, do not teach or suggest all of the elements recited in independent claims 1 and 43. Since dependent claims 2-21 and 44-71 depend from independent claims 1 and 43, respectively, these claims are also not obvious in view of the cited references. Accordingly, Applicants respectfully request that the Examiner withdraw the §103(a) rejection with respect to claims 1-21 and 43-71.

III. CONCLUSION

Applicants respectfully submit that pending claims 1-21 and 43-71 are in condition for allowance, and request a Notice of Allowability for the pending claims. The Examiner is invited to contact the undersigned Attorney of Record if such would expedite the prosecution of the present Application. This Amendment is being filed within six months of the mailing date of the pending Office Action (January 26, 2005), and includes the required request for a three-month extension of time and accompanying fee in the amount of \$510. If it is determined that additional fees are due, or an overpayment has occurred, please charge or credit Deposit Account No. 13-0480, referencing Attorney Docket Number 68156755.5007.

Respectfully submitted,

Date: July 26, 2005


James H. Ortega
Reg. No. 50,554
BAKER & MCKENZIE LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201
Tel: (214) 978-3058
Fax: (214) 978-3099